

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to indicators for autism and hearing impairment

The Department of Transportation hereby amends Chapter 605, “License Issuance,” and Chapter 630, “Nonoperator’s Identification,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 307.12, 321.189 and 321.190.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 321.189 as amended by 2020 Iowa Acts, House File 2372, section 1; Iowa Code section 321.190 as amended by 2020 Iowa Acts, House File 2372, section 2; and 2020 Iowa Acts, House File 2585, section 35.

Purpose and Summary

The amendments to Chapters 605 and 630 conform the rules with 2020 Iowa Acts, House File 2372, sections 1 and 2, and 2020 Iowa Acts, House File 2585, section 35. House File 2372 amended Iowa Code sections 321.189 and 321.190 to allow a person to add an indicator to the person’s driver’s license or nonoperator’s identification card indicating the person’s autism status. House File 2585 directed all administrative rules to be updated to reflect the term “hard of hearing” rather than the term “hearing impaired.”

The autism indicator is a new indicator that can be added to the person’s driver’s license or nonoperator’s identification card at the person’s request. The hard-of-hearing indicator is not new but is being renamed to reflect current terminology.

These amendments also adopt a technical change to reflect current Department practice that one payment method may be used to pay multiple fees associated with a driver’s license transaction.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 23, 2020, as **ARC 5179C**. No public comments were received. Items 2 and 5 that were included in the Notice of Intended Action were removed because they are no longer necessary. These items simply added references to the 2020 legislation, House File 2372 and House File 2585, within two implementation sentences in Chapters 605 and 630.

Adoption of Rule Making

This rule making was adopted by the Department on November 10, 2020.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa beyond the impact estimated by the Legislative Services Agency for 2020 Iowa Acts, House File 2372, sections 1 and 2, and 2020 Iowa Acts, House File 2585, section 35.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person's circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on January 6, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 605.5(7) as follows:

605.5(7) *Voluntary markings.* Upon the request of the licensee, the department shall indicate on the driver's license any of the following:

- a. to c. No change.
- d. That the licensee is hard of hearing ~~impaired~~ or deaf.
- e. No change.
- f. That the licensee has autism spectrum disorder.

ITEM 2. Amend rule 761—605.10(321) as follows:

761—605.10(321) Fees for driver's licenses. Fees for driver's licenses are specified in Iowa Code section 321.191. A license fee may be paid by cash, check, credit card, debit card or money order. ~~If payment is by check, the following requirements apply:~~

605.10(1) ~~The~~ If the payment is by check, the check shall be for the exact amount of the fee and shall be payable to: Treasurer, State of Iowa. An exception may be made when a traveler's check is presented.

605.10(2) ~~One check payment method~~ may be used to pay fees for several persons, such as members of a family or employees of a business firm. ~~One check payment method~~ may pay all fees involved, such as the license fee and the reinstatement fee.

This rule is intended to implement Iowa Code section 321.191.

ITEM 3. Amend subrule 630.2(4) as follows:

630.2(4) Upon the request of the cardholder, the department shall indicate on the nonoperator's identification card any of the following:

- a. to c. No change.
- d. That the cardholder is hard of hearing ~~impaired~~ or deaf.
- e. No change.
- f. That the cardholder has autism spectrum disorder.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/2/20.